

Remarks

Applicant objects to the Examiner's rejections in the Office Action to the extent they fail to present a *prima facie* case of obviousness under 35 U.S.C. §103. For example, in paragraphs 2 and 7 of the Office Action the Examiner fails to identify where in the cited reference(s) a particular claim limitation is taught or suggested, or how one of ordinary skill in the art would view the cited reference. Applicant respectfully requests, therefore, that these rejections be withdrawn. *See e.g., Ex parte Gambogi*, 62 U.S.P.Q.2d 1209, 1212 (Bd.Pat.App & Interf. 2001) ("Rejection of claims in patent application under 45 U.S.C. §103(a) must be vacated and remanded, since patent examiner has cited numerous references in support of rejection, but has not indicated what that prior art would have meant to person of ordinary skill in the art, since examiner has not referred to specific portions of each of cited references, and since rejection therefore requires both applicants and Board of Patent Appeals and Interferences to speculate....")

Although Applicant does not agree with the pending rejections, Applicant has further amended the claims to clarify a difference between the present invention and the systems and methods described in the prior art references.

Specifically, Applicant has amended all independent claims to better recite the invention as a system or process for performing functions relating to the administration of sales agents, brokers, distributors or dealers. None of the cited references—singly or in combination—teach or suggest such a system or process.

Independent claims 1 and 2 have been amended to more clearly recite that the present invention—unlike the cited references—enables a customer or user to provide updated information by interacting with various modules of an administrative tool. The first step of claim

1, for example, now recites: “receiving updated information for the sales-related database in a file configured in a predetermined format, the updated information being provided by a user interacting with an administrative tool having at least one of a login module, a report builder module, a broker operations module, a database access module, and a file upload module.”

Claim 2 has also been amended to recite that the means for receiving updated information is “user-interactive.” Support for these amendments is expressly found on page 10, lines 9-11 and page 13, lines 7-9 of the specification.

In contrast, the Faloutsos patent does not teach or suggest a system or method wherein a user provides the updated information to be stored in a sales-related database. Rather, Faloutsos discloses a system and method where information is updated by a processor 15:

An exemplary centralized system 1 for monitoring sales transactions that employs a method in accordance with the invention is shown in FIG 1. It is possible for the system 1 to monitor sales transactions of, for example, a department store or supermarket. The system 1 includes a set of point-of-sale terminals 5, such as cash registers located throughout the department store, connected to database system 10. *The point of sale terminals 5 transmit information to the database system 10 regarding each transaction executed at the respective terminal 5.* The database system 10 includes processor 15 coupled to a keyboard 20, display device 25 and task memory 30. The processor 15 is further coupled to a communication bus 35 which is coupled to the point-of-sale terminals 5 and main memory 40 which maintains a data set of product sales in the form of a database.

*In operation, the processor 15 updates data of the sales database in the main memory 40 based on information received from the point of sale terminals 5.* Typically, data is maintained the system’s database of sales of distinct products. The task and main memory 30 and 40 are implemented using mediums for storing information such as, for example, magnetic disk storing devices, magnetic tape and random access memory (RAM).

Faloutsos, Col. 3, lines 29-51 (emphasis added).

Furthermore, Applicant asserts that Faloutsos does not teach or suggest a system or process for performing functions relating to *administration* of sales agents, brokers, distributors

or dealers connected with a sales-related database. Rather, Faloutsos merely discloses a “method for estimating characteristic information of data items in a data set, such as a database, based on parameters of multifractal distribution.” Such a method, Applicant asserts, has nothing to do with the administration of sales agents, brokers, distributors or dealers, and thus does not teach or suggest the invention as claimed. Applicant submits, therefore, that independent claims 1 and 2, as amended, are allowable over the art of record. Claim 3 depends from independent claim 2 and is therefore allowable over the art of record for at least the reasons set forth above.

The Examiner rejects claim 4 as being unpatentable over Faloutsos and Johnson, but fails to provide **objective** evidence to support the assertion that Faloutsos and Johnson contain the alleged features, or that one of ordinary skill in the art would have made changes to Faloutsos based on the teachings and suggestions of Johnson. Applicant submits that the Examiner’s citation of Johnson as evidence that “it is well known to divide program (sic) into multiple modules,” does not explain how Johnson teaches or suggests those limitations of claim 4 that are not disclosed by Faloutsos,<sup>1</sup> and thus does not amount to a proper rejection. “[I]t is fundamental that rejections under 35 U.S.C. §103 must be based on evidence comprehended by the language of that section.” *In re Grasselli*, 218 U.S.P.Q. 769, 775 (Fed. Cir. 1983). Applicant requests, therefore, that this rejection be withdrawn.

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<sup>1</sup> Applicant is perplexed by the Examiner’s reference to Faloutsos seeing that none of the limitations of claim 4 are asserted by the Examiner as being found in Faloutsos. *See*, Office Action, ¶ 2 (“Regarding claim 4, Faloutsos does not explicitly disclose: a user login module for restricting access to the system; a database access module for accessing data stored in the sales-related database and for reading one or more configured files; and a file upload module for uploading data to the sales-related database and the system.) Applicant presumes, therefore, that the Examiner’s position is that all limitations of claim 4 are found in the Johnson patent.

Applicant's objection notwithstanding, claim 4 has been amended to better recite the differences between the present invention and the cited prior art references. Specifically, claim 4 now recites, in relevant part: "a user-interactive administrative tool for providing updated information to a sales-related database, the administrative tool having at least one of: a user login module for restricting access to the system; a database access module for accessing data stored in the sales-related database and for reading one or more configured files; and a file upload module for uploading [data] the updated information to the sales-related database and the system." Applicant respectfully submits that Johnson fails to teach or suggest the amended limitations of claim 4.

Applicant further submits that Johnson merely discloses an improved system for facilitating a *sales process*, and thus does not teach or suggest the invention claimed in amended claim 4—a system for performing functions relating to the *administration* of sales agents, brokers, distributors or dealers. Indeed, as unequivocally described in Johnson: "[e]ach of the core process components 103 *relate generally to a particular phase of the overall sales process* from initial generation of a name as a lead to retention of a satisfied customer for future sales. The support process components 105 *relate generally to those tasks carried out by sales personnel throughout the entire sales process.*" See, Johnson patent, Col. 4, lines 12-18 (emphasis added).

Moreover, the sales process of Johnson would not provide a benefit to the process of estimating characteristic information disclosed in Faloutsos; thus, the two references were improperly combined. Applicant submits, therefore, that the Faloutsos and Johnson patents—singly or in combination—fail to teach or suggest "a system for performing administrative functions connected with a sales-related database, as claimed by amended claim 4.

Dependant claim 5 has been amended to recite: “The system of claim 4 further comprising a report building module for presenting data in one or more predetermined formats [and], for generating one or more reports, and for tracking access and navigation through the sales database.” Applicant respectfully submits the Johnson patent—singly or in combination with other cited patents—fails to teach or suggest the limitations of claim 5, as amended.

Applicant has amended dependant claim 6 to further recite: “The system of claim 4 further comprising a broker operations module for updating broker information in the sales related database, the broker operations modeling further comprising a broker profile module for accessing at least one broker profile.” Applicant respectfully submits the Harris patent—singly or in combination with other cited references—fails to teach or suggest the limitations of claim 6, as amended.

Dependant claim 7 has been amended to recite: “The system of claim 4 wherein the file upload module further comprises [a] an HTTP servlet module [form generator to] for [generate] generating and presenting the user with preconfigured forms, and for receiving one or more information updates provided by the user in the preconfigured forms.” Applicant respectfully submits the Johnson patent—singly or in combination with other cited references—fails to teach or suggest the limitations of claim 7, as amended.

Claim 8, which depends from claim 7, has been amended to recite that the file upload servlet module—in contrast to the Kappel patent—further comprises “a plurality of servlets.” Applicant respectfully submits the Kappel patent—singly or in combination with the other cited references—fails to teach or suggest the limitations of claim 8, as amended.

Applicant asserts that the Examiner’s rejection of claim 9 is improper and should therefore be withdrawn. In particular, the Examiner fails to identify where in Discount (or

Faloutsos) is found a teaching or suggestion of each of the limitations of claim 9. *See Ex parte Gambogi*, 62 U.S.P.Q.2d at 1212.

Notwithstanding Applicant's objections, Claim 9 has been amended to further recite that: (1) the administrative function home page is "associated with an administrative tool having at least one of a login module, a report builder module, a broker operations module, a database access module, and a file upload module"; (2) the function link selection is "made by a user interacting with the administrative functions home page"; and (3) the updated information is "provided by a user interacting with the administrative tool." Applicant respectfully submits that neither Discount nor Faloutsos—singly or in combination—teach or suggest the limitations of claim 9, as amended. Claims 10-18 depend—directly or indirectly—from claim 9 and are thus allowable for at least the reasons set forth above.

Applicant submits that the Examiner's rejection of claim 10 in paragraph 8 of the Office Action is improper—claim 10 does not recite "broker information." Accordingly, Applicant respectfully requests that this rejection be withdrawn.

Applicant has amended claim 11 to recite that the "broker information" screen has "at least one field" wherein the updated information is entered. Application submits that neither O'Neil, Discount nor Faloutsos—singly or in combination—teach or suggest the limitations of claim 11, as amended.

Independent claim 19, 20, and 22-24 have been amended to recite: "the updated information being provided by a user interacting with an administrative tool having at least one of a login module, a report builder module, a broker operations module, a database access module, and a file upload module." Applicant submits that the cited references—singly or in

combination—fail to teach or suggest the limitations of claim 19, 20, and 22-24, as amended.

Claim 21 depends from claim 20 and is thus allowable for at least the reasons set forth above.

**CONCLUSION**

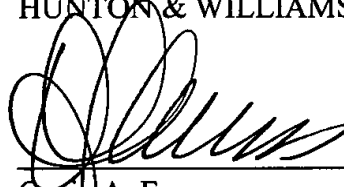
The Office Action, references and rejections have been duly considered by the Applicant and addressed by the foregoing amendments and remarks. Reconsideration of the application and allowance are respectfully solicited.

Should the Examiner however require resolution of any issues for allowance, the Examiner is invited to contact the undersigned to expedite the same. Any fees that may be due but not attached, or overpayment of any fees, may be charged or credited to Deposit Account No. 50-0206.

Respectfully submitted,

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ATTACHMENT A

**Marked up Copy of Amended Claims**

1. (Amended) A process for performing [administrative] functions relating to administration of sales agents, brokers, distributors or dealers connected with a sales-related database comprising the steps of:

receiving updated information for the sales-related database in a file configured in a predetermined format, the updated information being provided by a user interacting with an administrative tool having at least one of a login module, a report builder module, a broker operations module, a database access module, and a file upload module;

saving the configured file containing the updated information to the sales-related database; and

uploading the sales-related database to a web-based database using [an] the administrative tool.

2. (Amended) A system for performing [administrative] functions relating to administration of sales agents, brokers, distributors or dealers connected with a sales-related database comprising:

user-interactive means for receiving updated information for the sales-related database in a file configured in a predetermined format;

means for saving the configured file containing the updated information to the sales-related database; and



means for uploading the sales-related database to a web-based database using an administrative tool, the updated information being provided by a user interacting with an administrative tool.

4. (Amended) A system for performing [administrative] functions relating to administration of sales agents, brokers, distributors or dealers connected with a sales-related database comprising:

a user-interactive administrative tool for providing updated information to a sales-related database, the administrative tool having at least one of:

a user login module for restricting access to the system;

a database access module for accessing data stored in the sales-related database and for reading one or more configured files; and

a file upload module for uploading data to the sales-related database and the system.

5. (Amended) The system of claim 4 further comprising a report building module for presenting data in one or more predetermined formats [and], for generating one or more reports, and for tracking access and navigation through the sales database.

6. (Amended) The system of claim 4 further comprising a broker operations module for updating broker information in the sales related database, the broker operations module further comprising a broker profile module for accessing at least one broker profile."

7. (Amended) The system of claim 4 wherein the file upload module further comprises [a] an HTTP servlet module [form generator to] for [generate] generating and presenting the user with preconfigured forms and for receiving one or more information updates provided by the user in the preconfigured forms.

8. (Amended) The system of claim 7 wherein the file upload module further comprises a file upload servlet module having a plurality of servlets for transmitting the information updates received in a preconfigured format to the database access module to be read as a configured file and to update the data stored in the sales-related database.

9. (Amended) A process for performing [administrative] functions relating to administration of sales agents, brokers, distributors or dealers connected with a sales-related database comprising the steps of:

receiving login information from a client system;

determining if the login information is valid;

transmitting an administrative functions home page to the client system if the login information is valid, the administrative functions home page being associated with an administrative tool having at least one of a login module, a report builder module, a broker operations module, a database access module, and a file upload module.;

receiving a function link selection from the client system, the function link selection being made by a user interacting with the administrative functions home page;

determining which function link was selected;

displaying an administrative function screen corresponding to the function link selected;

receiving updated information in a predetermined format, the updated information being provided by a user interacting with the administrative tool; and

updating the sales-related database to store the received updated information.

11. (Amended) The process of claim 10 further comprising the steps of:

receiving a broker administrative function link selection;

determining which broker administrative function link was selected;

deleting a selected broker if a delete link was selected; and

displaying at least one broker information screen if a delete link was not selected wherein the step of receiving updated information includes a sub-step of receiving updated information entered in at least one field in the at least one broker information screen.

12. (Amended) The process of claim 11 wherein the at least one broker information screen includes at least one of a broker detail screen, a broker contact information screen and a broker public key loading screen for adding a new broker key ring filed to a public ring list for encryption purposes.

19. (Amended) A system of performing administrative functions connected with a sales-related database comprising:

means for receiving login information from a client system;

means for determining if the login information is valid;

means for transmitting an administrative functions home page to the client system if the login information is valid;

means for receiving a function link selection from the client system;

means for determining which function link was selected;

means for displaying an administrative function screen corresponding to the function link selected;

means for receiving updated information in a predetermined format, the updated information being provided by a user interacting with an administrative tool having at least one of a login module, a report builder module, a broker operations module, a database access module, and a file upload module; and

means for updating the sales-related database to store the updated information.

20. (Amended) A process for updating information relating to administration of sales agents, brokers, distributors or dealers in a sales-related database comprising the steps of:

receiving an access request;

determining if the access request is valid;

receiving updated information if the access request is valid, the updated information being provided by a user interacting with an administrative tool having at least one of a login

module, a report builder module, a broker operations module, a database access module, and a file upload module;

verifying the received updated information; and

replicating the sales-related database.

22. (Amended) A computer readable medium, the computer readable medium storing computer readable code executable to perform a process for integrating one or more updates relating to administration of sales agents, brokers, distributors or dealers into a sales-related database over a network, wherein the integrating process comprises the steps of:

receiving updated information for the sales-related database in a file configured in a predetermined format, the updated information being provided by a user interacting with an administrative tool having at least one of a login module, a report builder module, a broker operations module, a database access module, and a file upload module;

saving the configured file containing the updated information to the sales-related database; and

uploading the sales-related database to a web-based database using an administrative tool.

23. (Amended) A computer readable medium, the computer readable medium storing computer readable code executable to perform a process for integrating one or more updates relating to administration of sales agents, brokers, distributors or dealers into a sales-related database over a network, wherein the integrating process comprises the steps of:

receiving login information from a client system;

determining if the login information is valid;

transmitting an administrative functions home page to the client system if the login information is valid;

receiving a function link selection from the client system;

determining which function link was selected;

displaying an administrative function screen corresponding to the function link selected;

receiving updated information in a predetermined format, the updated information being provided by a user interacting with an administrative tool having at least one of a login module, a report builder module, a broker operations module, a database access module, and a file upload module; and

updating the sales-related database to store the received updated information.

24. (Amended) A computer readable medium, the computer readable medium storing computer readable code executable to perform a process for integrating one or more updates relating to administration of sales agents, brokers, distributors or dealers into a sales-related database over a network, wherein the integrating process comprises the steps of:

receiving an access request;

determining if the access request is valid;

receiving updated information if the access request is valid, the updated information being provided by a user interacting with an administrative tool having at least one of a login module, a report builder module, a broker operations module, a database access module, and a file upload module;

verifying the received updated information; and

replicating the sales-related database.